

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 03/02136

518,890

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Rec'd PCT/PTO 23 JUN 2005

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

### 2. Citations and explanations

Reference is made to the following document:

D1: "ETSI EN 301 716 V7.3.1; Digital cellular telecommunications system (Phase 2+); Support of Mobile Number Portability (MNP); Technical Realisation; Stage 2 (GSM 03.66 Version 7.3.1 Release 1998)" ETSI EN 301 716 V7.3.1, XX, XX, October 2000 (2000-10), pages 1-71, XP002237024

D1, which is considered to represent the closest prior art in relation to the subject matter of claim 1, discloses (the references in parentheses are to this document): a process for handling short messages with number portability between multiple telecommunications networks, wherein the subscriber numbers do not permit clear allocation of subscribers to an individual telecommunications network and wherein multiple retries are possible in delivering short messages, wherein at the first attempt at delivery the parameters or data required to deliver the short message, in particular target information, are determined (see paragraphs B.4.3 and B.4.4).

The subject matter of claim 1 differs from the known

process in that all or parts of the parameters or data, in particular target information, used in the first attempt at delivery, together with the short message to be delivered, are stored in a participating Short Message Service Centre (SMSC) and at least partially used in subsequent retries.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention may therefore be considered that of providing a process for handling short messages with number mobility in mobile radio that reduces the load in participating network elements and accelerates the delivery of short messages.

The solution proposed in claim 1 of the present application to this problem involves an inventive step (PCT Article 33(3)). The reasons are: D1 discloses that target information is applied for by the SMSC at each attempt to deliver, this information being discarded thereafter (see inquiry, page 2, lines 10-18). For each further retry the SMSC must, therefore, reapply for target information. Consequently, a person skilled in the art would certainly not be able to derive the claimed process from the available prior art.

The same reasoning applies correspondingly to independent claim 5. The subject matter of claim 5 is therefore novel (PCT Article 33(2)) and involves an inventive step (PCT Article 33(3)).

Claims 2-4 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.